

Chester County Planning Commission Minutes

October 17, 2023

1. **Call to Order** – Chairman Raines called meeting to order.
2. **Quorum Established:** Chairman Robert Raines, Vice Chairman Azzie Lee Hill, Commissioners Nancy Walley, Carolyn Williams, Shawn Hough, and Marvin Grant were present. Commissioner Douglas Josey was absent with prior notification.
Staff: Mike Levister and Jaime Chappell
3. **Approval of Agenda** – Commissioner Grant motioned to approve, second by Commissioner Walley. Vote 6-0 to approve.
4. **Approval of Minutes from September 19, 2023, Meeting** Commissioner Walley motioned to approve, second by Commissioner Williams. Vote 5-0 to approve. Vice Chairman Hill was absent from the September Meeting.
5. **New Business**
 - a. **CCMA23-14 Robert Reid and Craig Shaftner request Tax Map #124-00-00-008-000 located at 3353 Edgeland Road, Richburg, SC 29729 to be rezoned from Rural Two District (R2) to General Commercial District (GC).**

Robert Reid stated his address is 3458 Hernandez Road, Richburg, SC. So, I'm looking to expand the current business and sell equipment trailers, which is support trailers, essentially what we're already doing. Eight tire Gooseneck type trailers and down. Those types of things. A retail dealer.

Chairman Raines stated so you'll be selling larger trailers gooseneck.

Mr. Reid stated what we would specialize in is gooseneck trailer and down.

Chairman Raines asked would they be building them on site or just bring them in a selling them.

Mr. Reid stated no sir, we would be a dealer.

Chairman Raines stated with a ten-acre track, you are planning on having that much inventory to cover that much ground.

Mr. Reid stated it's possible. I mean, I would like to have room to grow. I'm not saying that I would pull in you know ten-acre worth of trailers on day one. I wouldn't be, I wouldn't expect to do that.

Chairman Raines asked if there were structures on the property already.

Mr. Reid stated no structures, this is raw property with nothing but timber on it.

Chairman Raines stated no well, septic or anything or no old buildings.

Mr. Reid stated no sir, no sir all land.

Commissioner Hough stated I have a question. You say it's 10 acres and you are retail there. And you're going to do a full 10 acres of retail. Like you are going to clear the full ten acres.

Mr. Reid stated sure, sure, yes, yes. Currently we have a business now, we're averaging anywhere from 1 million to about 1.25 million in sales and that's on 30 acres. This business I plan to scale up and sell. I'm going all in. I'm going to sell some trailers.

Commissioner Hough stated yes it sounds like a big operation. The only question I have at this time, it's kind of right there in the middle of a pretty heavily residential area, you know, I mean, yeah, Victorian Hills across the street and you've got a lot of like housing right there, you know what I mean. So, my question is noise wise and stuff like that. How will you shield from that or what was your game plan there.

Mr. Reid stated yeah, no, I mean, I like Chester County, I like the area, like continue to do business. You know, like I said we are doing I know we just remitted over \$10,000 to the South Carolina Department of Revenue. I believe y'all get a cut of that every month, so I don't want to double that essentially. But yeah, no, I don't want, we're not gonna make a lot of noise. We're not manufacturing trailers. So, this would be a quiet operation.

Commissioner Walley stated that you said you were expanding your business. Understand business wise, but location wise. This new piece of property is not at your current business location correct.

Mr. Reid stated yes, ma'am. This is a totally different property, a different address.

Commissioner Walley stated, and you don't have room at your current location, well it's none of my business or not to expand there.

Mr. Reid stated right, that's correct.

Chairman Raines asked where is your current location.

Mr. Reid stated it's at 3458 Hernandez Road. And this ten acres is in that Master Plan when we bought it years ago. It was the master plan, or it was where Chester County wanted to see some growth, I do know that. That so when we bought the property we were expected to ah, so we bought the property years ago.

Chairman Raines stated if you had to speculate, you say in three years, how many trailers would you sell a day.

Mr. Reid stated as far as like projected sales. Yeah, sure. So, I'm looking at a quarter million-dollar initial order because of a \$250,000 worth of trailers. In it those sale when like replenish those and continue that way. So, you know that's a hard question to answer. Okay, if we're in a good economy, we're gonna sell a lot trailers. If we're not we're probably not, you know, and I think that you know, I don't know that I can tell you see, let me ask you to ask me that again. If you don't mind sir.

Chairman Raines stated I'm trying to get an idea about traffic on the road. So, in a day's time, a week's time and you sell five trailers a day or forty trailers a week.

Mr. Reid stated Yeah, no. So yeah, so these are bigger price point deals. It's not like we'll have a line of people coming in and out for trailers. This would be a this would be, you know, a couple I would say five trailers a week maybe type deal, so it won't be a lot. We're not gonna to have a whole lot of traffic coming in and out. Yes sir, that's current business and I can comfortably say that. That's how it is right now with the business I've got now.

Chairman Raines stated with your business across the road you refurb implements and stuff over there.

Mr. Reid said we are a dealer and have new equipment.

Chairman Raines stated you rezoned that about 8 months ago.

Mr. Reid said yes sir.

Chairman Raines stated you are currently selling trailers there.

Mr. Reid stated no sir, so what we're doing currently is we're a construction and farm equipment dealer, where we sell a lot of construction equipment. Of course, you all know more than anybody, there's a lot of growth in this area, and we sell a lot of the running and driving equipment. We sell and specialize in skid steers, mini excavators, that sort of thing and we sell the attachments that go on them.

Commissioner Hough stated but I love the idea of the business being in Richburg. The only concern I have is we gotta be sure because we're trained not to spot zone you know what I mean. And everything around there is R2. So put something commercial is kind of right in the middle.

Mr. Reid stated do you have a map that you can put up there because I don't know if everything is R2. I'd like to see that on a map, you may be right but I don't think there's a lot out there.

Commissioner Hough stated he looked at it on my phone right before I got up here. But most of it what I see, I don't have a way to put it on there for you.

Mr. Reid stated he can do it; I got the Beacon here. Well, there's an industrial, and my current 30 acres of general commercial is less than a mile. So, there's general commercial, it's pretty close by, and there's industrial that's right by it. I mean, I'm trying to you know, I think I made a pretty good argument here.

Commissioner Hough stated I agree. But we also consider everybody that lives around there. But if you look, I see.

Mr. Reid asked if is there anybody that's objecting tonight.

Commissioner Walley stated we haven't got to that point yet.

Mr. Reid stated ok gotcha, I'm sorry. I didn't mean to jump ahead. If there is, I'd like to talk to them too, current neighbors that I know of that have any problem with my current business. So, that's all in this same area. And I would you know, personally like to talk to anybody that has any, has noticed us being any kind of noise violations or any kind of traffic or anything, you know, I like to say that we've that we've been good for the community.

Chairman Raines stated Ms. Walley you have a question.

Commissioner Walley stated no I changed my mind.

Chairman Raines stated okay, we have one member of public that's asked to speak in relation to this matter, Jason Alt. Please state your name and address for the record, please.

Jason Alt stated my name's Jason Alt, I live at 3391 Edgeland Road. Two properties from the property that's in question right now. And basically, Mr. Reid is right, I know exactly where his business is down there on the corner of Hernandez Road and the road I live on. No problem with him or that business down there. But like I told him about five years ago, because we have three properties right there in a row, with about 10 acres of piece. We get his property right there. My neighbors that are behind me, sitting beside me. They own 10 acres right there. They lived there for 50 years, right at 50 years. And then 15 years ago, I moved into the 10 acres beside them, and I told them right then as far as I'm concerned, I will keep that area right and as close as I can to the way it's been all their life there as long as I can, you know, and that includes my property too. I understand, you see I build houses, roof houses, remodeling, and bought and sold properly. I understand that if this land goes commercial is not going to do nothing but up my property value at some point along the way. And I'm fine with that. But I'm willing to do without that right now for them. And you know I think that years ago when me and Mr. Reid talked about five years ago or something we were talking about new properties right in there. I was actually asking him about that property to see if somebody was hunting there just to be safe around that area. Because I hunt that area too. No big deal. And then basically, you know, basically I live there with my family and neighbors have lived there a lot longer than I have, and I would just like to see it the more residential land with the new houses and all that are coming in around there. It's already changing a lot right in there and just as we figured the houses and the traffic and all that. That's fine. And I am 100% fine with that other business down the street. I didn't even realize it was commercial down there. You know that, that's what I consider a good place for business right there is just right there where these 10 acres is. To start with it's a smaller track of land. And there's a lot of houses in that area right there. That's why I oppose it, I oppose that changing to commercial at this time. Now, years from now whenever my neighbors aren't there anymore, I would probably change my mind on this right here. But as of right now, I'm going to stand with what I told them 15 years ago, that I don't want that

commercial. And not that I don't want him to run a business and sell trailers. I'm all for business and making money. I just don't want it beside their house. And I know that they don't either. When I talked to them earlier about coming up here speaking for them tonight, I realized that they are some of the last couple people that actually enjoy sitting outside in the mornings and sitting outside in the evenings. I don't have time to do that. I wish I did. Because I got a great spot to do it too. But I work all the time and they still enjoy that. And I don't want to see it gone anytime soon. And that's all I got to say.

Chairman Raines stated hold on for a minute.

Commissioner Walley stated I'm assuming the two people sitting next to you when you were raising your hand that were opposing, you're speaking for them as well.

Mr. Alt stated yes ma'am, that's my neighbors, Barbara, and Jimmy Blanks.

Chairman Raines stated you have something to say.

Mr. Reid said yes sir.

Chairman Raines told Mr. Reid to step to the podium.

Mr. Reid stated, I understand his concerns and the neighbors' concerns there. There's a lot of developments in that same area, but I'm not for. But I'm also for you know, I'm also for, you know, I own the property you know, not my neighbors. You know, I just don't feel that you know, if I had my way the developments across the road wouldn't be there. The developments across from me wouldn't be there. But you know, the way I see it, you know, I can't, I can't control that. You know if it was up to me then. Yeah, sure. It wouldn't be development there. But you know, I'll tell you this, my family was there. We've got a century farm, my family's been there for a long time. And that area was in, was in business. My great, my great grandfather had a cotton gin where that business is today, operating it. There was Burns schoolhouse right there. There was a schoolhouse where this is. I know this area, and I for this area, for my neighbors. and I would like to talk to these guys after this and if there's anything I can do, to address their concerns whether it be noise or something like that. I'd like to try and accommodate my neighbors. At the same time, I'm a businessman and it's a ah, I bought that property intended on doing business. And I don't want to put up apartments. I could sell that property if they shot this down and sell it to a developer. And that developer come in and put a whole bunch of apartments and buildings or would you rather me be there. And you already know me as a business owner, which you already know. Essentially would you rather me be there or would you rather that property get sold and be another subdivision. I feel like Blue Best Equipment Sales is good for Chester County.

Commissioner Hough stated I'm gonna make a motion to decline this rezoning just because of the location as far as all the residential around it.

Commissioner Grant asked what the motion was again.

Chairman Raines stated we have a motion on the floor to decline the rezoning request as stated.

Commissioner Grant stated I second that.

Chairman Raines stated All in favor. Oh, we have to have a discussion. Okay Miss Hill, you have something to say.

Vice Chairman Hill stated no I was getting ready and thought.

Chairman Raines stated to paraphrase Mr. Hough, but it's true. You got ID-1, ID-2 along the interstate over towards the hotel motel. But this area is all R2. We took the time a year or two ago to put more housing across the street. You've got Victorian Hills. While it's true we did rezone his current property to limited commercial, it's off another road, that doesn't really front this. It's not as intrusive I guess to the character of this part of the road in R2 zoning that exist now. So, in my opinion would be somewhat of spot zoning because you do have a lot of houses and residential in that area.

Commissioner Walley stated I would like you to clarify the statement you just said that we rezoned his current location.

Chairman Raines stated yes, the property off of Hernandez Road.

Commissioner Walley asked Mr. Reid is that true.

Mr. Reid stated from the audience, yes ma'am.

Commissioner Walley asked what year was that.

Mr. Reid stated from the audience this year.

Commissioner Hough stated you're already doing business there at that location if I remember correctly, is that right.

Mr. Reid stated again from the audience this property in question now was already zoned limited commercial and what we did was take it to, from LC to GC due to the growth of the business.

Commissioner Walley said the one you are selling at now.

Mr. Reid stated from the audience that is correct.

Chairman Raines stated can you step to the podium and state that again. It was already limited commercial.

Mr. Reid stated yeah, and I would like to bring up another point. I bought that property beside Mr. Alt there about four or five years ago. I sat down in Chester County Office and looked at a grand master plan and they wanted to see growth coming up that road, okay. And that was part of why I bought that

property in that location. A little disappointed that I would, I would think that everybody up here would want to see how this particular business would hurt anybody in the area.

Commissioner Walley stated excuse me, I'm sorry, I think the point we were discussing was your current business.

Chairman Raines stated your current business is, we rezoned it from.

Mr. Reid stated did I miss that. The current business was zoned LC and rezoned to GC this particular year.

Commissioner Walley stated it was LC.

Mr. Reid stated LC is limited commercial.

Commissioner Walley stated I know what it is, it was LC from back when your great, great grandfather had a cotton gin there.

Mr. Reid stated absolutely yes ma'am it's been business property.

Commissioner Walley stated that I was just clarifying that we didn't rezone. He was commercial at that point at Hernandez Road back when his great, great grandfather had a cotton gin there.

Mr. Reid stated she's right, exactly right, that's exactly right. Thank you for clarifying that.

Commissioner Walley stated that's how it got to be commercial.

Chairman Raines stated thank you Mr. Reid.

Commissioner Hough stated I would like to add one thing.

Mr. Reid stated absolutely, tell me what you got sir.

Chairman Raines stated that was our only question, you can have a seat.

Mr. Reid stated he said he was going to add something.

Chairman Raines asked Mr. Hough were you going to ask him a question or something.

Commissioner Hough stated no, I was just going to add something.

Chairman Raines stated have a seat Mr. Reid, we're in the discussion phase now.

Commissioner Hough stated I understand what you're saying but there's still so much housing there. I think that it's not a bad thing you are doing. And I think it's just a little early in the plan of things in my opinion for what that property is gonna be. I just think It's a little early that I don't think that is a bad thing that you're trying to do, but there's just still so much residential there. I think it's just a little premature. That's why I made the motion I made. I want you to understand. I'm not against business either. I think businesses in this county is a wonderful thing. I think what you do is a wonderful thing. Anything that generates money it's a bad thing. I think it's a little early.

Commissioner Walley stated I think too if zoning had been in effect when he put his other business there, that may have not gone through either.

Chairman Raines stated no Mr. Reid to have a seat we're discussing, have a seat and that they were through with public input.

Commissioner Walley stated you know when you look at our training, that say spot zoning where he currently is probably would not have passed back in that time.

Chairman Raines stated to add some context, he was still, he was in a commercial type setting, and he needed this to continue his business, so we made a modification if you want to call it that, but it was not an outright zoning from a residential rural type setting to this. Any further discussion.

Mr. Reid stated from the audience that he still had a follow-up if that's okay.

Chairman Raines stated we are through sir. We have taken your input and we're fixin to vote on it now. The commission is discussing this. Thank you.

Commissioner Hough motioned to deny, second by Commissioner Grant. Vote 6-0 to deny.

Chairman Raines stated now, having said all that, our opinions is advisory. The county council votes on this, and they have three readings. They will approve or disapprove based on and that'll be the official reading. So, you're welcome to follow the staff when, that is they have some public input, like three minutes, no response or anything from the council. You're welcome to come to those meetings. Give them your input there.

Mr. Reid stated from the audience, just so I take away that everybody is unanimous there's no, not a single vote that would be for this.

Chairman Raines stated 6 people voted against this and none in favor.

Mr. Reid stated from the audience, wow, that's interesting.

Chairman Raines stated for the reasons stated, we have some premises that we have to work with from the standpoint of zoning. You're welcome to hang around, you're welcome to leave. We ask you to just be quiet.

b. CCMA23-15 Rodney L. Coldwell request Tax Map #069-01-00-035-000 located at 619 Pine Ridge Road, Chester, SC 29706 to be rezoned from Multi-Family Residential District (RG-1) to Limited Commercial District (LC).

Chairman Raines stated Mr. Coldwell, can you state your name and address for the record please.

Rodney Coldwell stated his address was 619 Pine Ridge Road, in Chester.

Chairman Raines stated okay, so tell us a little bit about your plans for asking for rezoning here and what you intend to do with this property?

Mr. Coldwell stated let me back up here just a little bit because the property which was developed by Marmac Corporation in 1974 was developed as an industrial site. Marmac eventually moved their operation, I believe they moved offshore. And so, prior to actual zoning of that area, I bought the property and put my corporation in there. And we've been running manufacturing there since 1996 up until 2018 when I shut down manufacturing. So, the property itself has always been manufacturing. It's my understanding from Bill Marion, that the way the zoning was done was the property was a grandfather, because the zoning was done after we were already there and were in operation that the property of the grandfather for the level two industrial. But once any operations shut down or the property was going to be sold, it reverted to the residential, but it wasn't originally. There was I guess just the reversion on the whole thing. I did not understand that until Mr. Longbasin came up for a tour. And he called me later that afternoon and he said do you realize your property is zoned for residential? Which caught me totally off guard. I have the property up for sale but any sale to a commercial operation it is predicated to rezone.

Chairman Raines asked what type of manufacturing have you been doing?

Mr. Coldwell stated they were applying liquid polymer to fabric.

Chairman Raines stated a textile type operation.

Commissioner Grant asked is that in operation now.

Mr. Coldwell stated no, we had to shut it down in 2018.

Chairman Raines stated nothing been there in five years. McClinton can't make out the first name, if you state your name and address for the record.

Edna McClinton stated she lives at 620 Pine Ridge Road, Chester, SC. Okay. First of all, I'll say thank you for the opportunity to speak this afternoon. Me and a lot of the residents are here about this. We're very concerned about it. Me and my husband are a 30 plus year residents of 620 Pine Ridge. I am right across the road from him. It has been other things in there. It's open and some other things have been in there. We, the committee, want to know why it wants to be rezoned now. Because it's always been there. As he said Johnson Marmac was there years ago. And all of a sudden now he wants it commercial. Well, we the residents want to stay residential. It's a very nice community and it's very quiet. We all upkeep our homes. We're worried about property value as also our property taxes. And also, someone

is there now. It's an eyesore. I have pictures. It's a camper there. It's a trailer there. There's another big thing there with pipes coming out. The streetlight that shines on this property had been out for years and no streetlights there. So, we don't know a lot of the comings and goings, and we just don't want it. It's an eyesore as it is. We would like for it to stay just like it is. We want it to stay residential. We don't want it commercial. We're not trying to stop growth of Chester. The other end of Pine Ridge has just recently very nice houses. So, we're not at all trying to stop growth. We want the right growth. Also have the pictures if you want to look at them. Because it's a very bad eyesore for me and my husband, and my first neighbor is a much eyesore because we go right out that door and again. And so, and you know, we don't know what's going to come there. If he does make it commercial, what kind of, he could sell it to anyone. And the ones of us here are lifelong residents, we plan to retire. Some of us are already retired and those are homes, and we just don't want it. We're going to stay just like it is, it has nothing to do with growth. But we just wanted to stay residential.

Commissioner Hough stated I have a question; you say that there's a business. What's going on in there now.

Ms. McClinton stated I don't know what's in there, but someone is in there.

Commissioner Hough stated so is it a business in there or no, I'm just asking for verification.

Ms. McClinton stated a couple of months ago they were gonna have a party and they had asked them could they park over there, and we the residents didn't want the party. I stopped in all my morning run and spoke with the man that was in there. And they went in there doing something, so there was stuff in there that day, yes sir. I went inside the building, and it was stuff. It looked like fabric, some wiring. It was stuff but it was stuff there. The lights were on and someone was in there and I guess someone is living in that camper. As we speak. Like I say I have a picture if you want to see it this is a camper there. It's a camper. It's a trailer. Another black thing with a whole bunch of stuff in it. And it's always something going on over there. And like I say at night that lights out, so we don't know what's going on over there because the streetlight has been out for a while. And several times me and my husband had been sitting on the porch and we see car drive up parked there for a while and then they leave. And we had to make a big stink about him letting people park there for that party. And he did, he was very nice. He came and spoke with me. He called the police and told them that we didn't want it. He also put up barricades that day. Because, you know, all of the citizens that live out there, either working or retired it's very quiet. And we would like for it to just stay like that.

Chairman Raines stated so the applicant blocked a party from accruing there, he put up barriers.

Ms. McClinton said yes, he did, he put up barricades. He's very nice. And I don't have anything, he's called me before, he called me the other day about something. It's nothing against him. We just want it's residential, its homes, and we want it to stay there. And then if you lived there and you walked out the door and saw what we saw you wouldn't want it there either. I mean, we just want our home to stay residential. And these are everybody that's for it. If you all want to stand up and I also have the people that couldn't attend, they signed petitions that two the ladies, three of the ladies in the neighborhood. So, they signed a lot. We got a lot of petitions from the neighbors that wanted it to stay residential. Yes sir.

Chairman Raines stated anyone have any other questions.

Commissioner Hough stated can I ask one more question.

Commissioner Grant stated it's been there a long time.

Commissioner Walley stated since 96', I mean it's been a company, a commercial company since 1996.

Ms. McClinton said yes but it wasn't zoned as commercial. It was zoned as residential.

Chairman Raines stated yep that's why we are here. That's what we are being asked to correct.

Ms. McClinton stated well you say corrected but like I say it's been a residential place. It is zoned residential right now.

Commissioner Walley stated yes, I understand that, but the reason is, am I correct or wrong. The reason is, is because he closed it for five years and so it reverts back. Is that not, It was commercial at one time.

Chairman Raines stated no, it stays what it is, but going forward if he's going to be successful at selling it, it needs to have zoning classification that someone can use it. Otherwise, I would assume it's going to sit there in a state of disrepair and keep going down because I don't think anyone is going to build houses or turn it into houses.

Commissioner Walley stated it takes up the whole borders if you were going to do that.

Chairman Raines stated but yeah, you're corrected by virtue of him, I guess. Legally speaking, if you stop, seize to have a use for a place then when you go to reconstitute that business, you have to meet the current zoning.

Commissioner Walley stated yeah, I rode out there and looked at it.

Ms. McClinton asked was it ever zoned as commercial?

Chairman Raines said no.

Commissioner Walley stated the building took effect ma'am before zoning was in effect.

Ms. McClinton stated so you made a zoning committee so everything would be zoned right, right.

Chairman Raines stated no, the way, we didn't have zoning at all. So, it was implemented on sort of a gentleman's agreement type thing. If you had property and it was residential, and you wanted to be commercial. They were just zone it commercial as a starting point. And that's what happened here. It has always been residential. And it was built on before any of that existed. So, we got grandfathered, if you want to call it that into that location with a business there. But in today's world, it needs to be

rezone to a. It's not like it's heavy industrial, ID-1 or 2 where you could have a whole lot of heavy, heavy, heavy stuff. This is just a generalized type commercial district that will allow light manufacturing, things like you had. And like I say, it'd be going forward I would assume that if he's not able to sell a property, it's gonna sit there and look like it is now. If you rezone it, then he may be able to sell it someone come in and put up a legitimate business if you want to call that, cleaned it up, make it look presentable, but that building is probably gonna be there anyway because at one point it was legal if you want to call it that, because zoning didn't exist. And it was grandfathered in as this zoning classification for a different use. I know it's a little crazy as far as understanding how we got here and what we're trying to understand to do tonight.

Commissioner Hough stated Mike are we clear on that. That something grandfather's in because we have run into this before. Does it grandfather in but once the place closes and it's no longer grandfathered in, is that the way that works?

Planning Director Mike Levister said Yes. So, the way the zoning ordinance reads is, if a non-conforming use was established before the county adopted the zoning then it can continue as that operation of commercial, but once it's been abandoned for six months or longer than you lose that opportunity to continue that non-conforming use. So, it's been out of business for five years. So now he's lost that grandfather cause and nothing else can go in that facility until it gets rezoned.

Ms. McClinton stated we don't want it rezoned. We don't want it rezoned; we want it to stay residential. Because if you do limited and then you make it a high one up, we don't know what can go in there.

Chairman Raines stated that would be revisited. Let's just say we grant this rezoning request for him to have a permitted use for what he's trying to do with this property. And then at some point in the future, whoever he sells it to wants to do something different and they would have to apply just like he's done. Come back. You will have an opportunity to speak, your neighbors would have an opportunity to speak. We will vote on it. The county council will vote on it, and approval it or disapproval from an official voting standpoint. So, it's not just you start down this road, and you go wherever you want. This is all part of the process. My concern is that if we deny this then who knows how long you're going to have an absolute eyesore there, and I think you'd have a chance now of having something legitimate cleaned up around it. It falls under all the noise ordinance. It's all under it. You know what they can do is relatively speaking, limited under this rezoning classification.

Ms. McClinton stated to the community in the audience you've got anything to say, you better step up because it sounds like they are gonna do it.

Someone in the audience asked can you make a junkyard over there.

Ms. McClinton stated that's what he got. It's a junkyard now. It's an eyesore now.

Comments were made by the audience as to what limited commercial is and if rezoned, they can do what they want over there.

Commissioner Grant stated no they can't. Limited commercial has a limited amount that can go there.

Ms. McClinton stated but you're not telling us what limited is.

Commissioner Grant stated we have the book out and we are working on it.

Ms. McClinton stated we want to know what limited is. I know we ain't Victoria Hill, we're Pine Ridge. We like what we like. Sure do.

Commissioner Walley stated I was kind of like my thoughts were like something Mr. Raines was saying. Something else went in there then maybe they would clean all that up. You know the eyesore that you see now.

Vice Chairman Hill stated Mr. Raines can I ask her a question.

Chairman Raines stated yes ma'am go ahead.

Vice Chairman Hill asked were you all living there when it was, I can remember it was Johnson Marmac.

Ms. McClinton stated I wasn't, but several residences were. A lot of them were. Some of them worked there.

Commissioner Walley stated she rode by there on both ends.

Ms. McClinton stated you went by there.

Commissioner Walley stated I rode by there Sunday.

Ms. McClinton stated thank you.

Commissioner Walley stated which we usually do with most of the things coming before us. And I agree it's not a great looking place. And I would hope that would get fixed.

Chairman Raines stated I think Mr. Levister has gone to look at the zoning. I'm looking at it in my book and it says it exempts auto repair. I don't think you can have a junkyard. You can't work on cars, but is by in large, offices, doctors' offices, daycares. Things of that nature. And it's a long list.

Ms. McClinton stated so can another manufacturing company come there.

Chairman Raines stated it meets these guidelines; you know it has a tier type process. You got limited commercial allows this, general commercial allows that plus this and up the chain is ID-1, 2, and 3. Which ID-3 is heavy industrial. I can't imagine any scenario where you're getting anywhere near any of that. But the point being, you know my concern is, I understand your pride in your property in your

neighborhood and all that kind of stuff, but I don't see that getting any better, I just see it getting worse if we don't grant this.

Ms. McClinton stated why would you say it could get worse.

Chairman Raines stated because he could walk off from it. It will be that way 10 years from now it'd be grown up. He never cuts the grass. It's basically just left like it is. Trailer still sitting there.

Ms. McClinton stated it's not being took care of now.

Chairman Raines stated that's my point.

Ms. McClinton stated he could sell it to anybody, so here we go.

Chairman Raines stated someone could come in and if he leaves it like it is, the only thing they can do is build house on it. And I agree with you it's a dilemma, but it's sort a like lesser of two or three evils in my opinion.

Ms. McClinton stated so he could build houses on it now.

Chairman Raines stated yeah.

Ms. McClinton stated so if we leave it like it is, he can sell it to someone, and sell it to someone that can build houses. They got beautiful houses on the other end of town. It ain't no manufacture company, there ain't nothing over there. So, it's not that he can't sell it. He just can't sell it for commercial, right.

Chairman Raines stated that's right. But you do have a commercial structure there that's very large. Okay, any other questions.

A female member from the audience was asking a question and Chairman Raines asked them to step to the podium to ask their question so he can respond.

The female member of the audience stated I was wondering could they not wait, once it's sold then rezone it then you will know what what's going to be in there. And what you know they're gonna be producing.

Chairman Raines stated it would be the same kind of thing. Zoning is a broad list of things allowed.

The same member of the audience stated but then you will have your residential people more comfortable with what's gonna happen in their neighborhood.

Chairman Raines stated but what I'm saying is, let's just say there's a list of ten things that are allowed. If you if he's wanting to do one and you say Yeah, like that one. He rezones it. Next week, he'd come in and do the one that you'd least like, because it's all under the same umbrella of being able to be allowed

under that. You understand what I'm saying? So, you can't really pick and choose I just want him to do this one thing, it's a list of things that are all permitted under that zoning classification.

The same member of the audience stated but then you're making these residential people susceptible to their residents going down, how about the gentleman he's selling it to put junkyard there. That's going to make their property value go down. Correct.

Chairman Raines stated not necessarily. A dilapidated property will make your property value go down. A well-kept business is quiet and don't disturb the neighbors. I don't think would necessarily make your property values go down. So, that's a theoretical answer. It could happen just as well, property values going down with a commercial business there. Can you state your name and address please.

The same member of the audience stated my name is Carla Mobley and I live at 666 Pine Ridge Road.

Commissioner Grant asked did you give her a copy of this Mike.

Planning Director Mike Levister said yes.

Chairman Raines stated we've already had a whole bunch of discussion. Anyone have a motion.

Commissioner Grant stated Mr. Chairman I'm torn between what the residents want and what he would like to do to sell the property. Hopefully somebody will come in and make it better. When you look at the list of what is allowed there, it's very, I don't want to say calm so to speak, but it's electronic supply, convenient store, fruit vegetable market, health care, clothing, jewelry, sporting goods is the number of uses that can go in that building. But someone is gonna have some money to tear it down or come in and do it. And apparently, he doesn't have the money. We're in a dilemma. If we don't rezone it's become a greater eyesore and a drug hangout. That's what it's going to become.

Commissioner Walley stated can I ask Mr. Coldwell something. Is that permitted. The applicant.

Chairman Raines said yes.

Commissioner Walley stated Mr. Coldwell I don't recall hearing you say you are selling it.

Mr. Coldwell stated from the audience yes he was selling it.

Commissioner Walley stated do you have a buyer now.

Mr. Coldwell stated from the audience yes, Jeff Jensen.

Chairman Raines stated do you mind coming up and are you willing to say what your intended use for this is.

Jeff Jensen stated his address was 619 Pine Ridge Road, Chester, SC.

Commissioner Walley stated you need to speak into the microphone.

Mr. Jensen stated I'm Jeff Jensen 619 Pine Ridge Road. Chester, South Carolina and yes, we are wanting to purchase the property from Mr. Coldwell. But obviously if it's not zoned to allow us to do electronics repair, then we would have an issue with not being able to do that. I can attest to Edna's concerns about the way it looks right now. Yes, there is a camper out there. We're not living in that camper, by the way just to state. We're not living in that camper. There are some vehicles that we brought with us to put on the property to store. There's been tractor trailers stored on that property for many, many years. Actually, more than what we're there now. And there's still some there now. But our intentions are to repaint, to reroof the building, and repaint the building. If my wife approves maybe like red like an old barn and with white trim and make it look very professional. The lawn has been maintained and mowed on the backside of the property, but it does appear that as you come into the property that people coming into the neighborhood are throwing their fast food away out there in the trash on the corner before they get to their house in the neighborhood. And that's, I'd like to see that. I would dress that personally and clean it up. As it goes. As you look there right now it's a mess. So, so. So yeah, the building is old. It needs a lot of maintenance. It needs upkeep but we're prepared to take that challenge on and, and our goal also was Mr. Coldwell had stayed on the premises for 25 years. And we would like to continue that ability with the limited commercial having the ability to have a dwelling.

Chairman Raines asked could you repeat that last part.

Mr. Jensen stated I would like to continue to have a dwelling.

Commissioner Hough stated I have a question. You said your address is 619, are you living there presently.

Mr. Jensen stated no sir.

Commissioner Hough stated you have it listed as your address.

Mr. Jensen stated no sir.

Commissioner Hough stated what did you say your address was, I'm sorry.

Mr. Jensen stated the building the property of the address we are speaking with.

Commissioner Walley stated I think we need your address for the record. Your Charlotte address.

Mr. Jensen stated 3837 Bonray Drive, Charlotte, NC 28226.

Commissioner Grant stated you say you're going to put a furniture repair place.

Mr. Jensen stated no, no. the primary. For the last 12 years I've been in audio video and electronics installation services. We install security cameras and that's another thing the security in the area is it needs security definitely. But we will be putting security cameras up for that purpose. But we install security cameras for law enforcement, public sector, child advocacy centers, and do sound systems and low voltage. I'm a low voltage contractor by trade. And we will continue that code as a low voltage contractor with electronics repair.

Commissioner Hough stated I have one other question, I'm sorry just to clarify what you said, he had lived there for 25 years, is that what you said.

Mr. Jensen said yes.

Commissioner Hough stated, so you're planning on living there as well?

Mr. Jensen stated yes sir, it's my understanding is that limited commercial will allow for a dwelling. Yeah, so basically, we would want to actually turn it into a barndominium. So, we're very concerned with the way it looks as well. So, warehouse, barndominium. So, we're definitely concerned with, we want it to look a lot nicer than it looks now. We're just not going to put anything into it. If we can do. We're not going to purchase it if we can't do it. And I agree with what you're saying it will just sit there and dilapidated and it will become an infestation.

Commissioner Hough stated I'm sorry just want to clarify. So, you're gonna live there and run a business there, also is what you're gonna do.

Mr. Jensen stated Yes, sir.

Commissioner Walley asked will the RV trailer be staying in the back lot there.

Mr. Jensen stated that No, no, no. It does not have to. I mean, I don't know what the rules are for that, but I wouldn't obey the rules for that.

Chairman Raines stated the classification states single family multi-family residential is allowed but not mobile homes or motorhomes.

Mr. Jensen stated correct, this is an RV.

Chairman Raines stated as Mr. Grant said we have somewhat of a dilemma. I think in my opinion, overall, we would be better to rezone. I will make a motion that we rezone the property, as it has been stated for limited commercial for the reasons stated in the last 20 minutes of the discussion.

Chairman Raines motioned to approve, second by Commissioner Grant. Vote 4-2 to approve.

Chairman Raines stated as I said earlier, our opinions just an advisory. We get to come in here and argue with you for lack of a better term and try to make some sense of it. County Council will actually vote

officially. As I stated earlier, they do allow public comments and no response from them at all. You can get up and speak in three minutes and say what's on your mind. You're welcome to follow up with staff when those meetings will be start and when they will be held. Council meets twice of month. Will go from there. We thank you everyone for coming tonight.

Chairman Raines started to read next case number.

Commissioner Grant suggested we wait until everyone that was leaving, leaves so they could hear.

c. CCLDPDP23-02- Final Plat for Walkers Mill Subdivision with 265 lots located at 4109 Edgeland Road, Richburg, SC- 200.640 acres. Tax Map # 123-00-00-091-000 with PD (Planned Development) zoning district.

A member from the audience (John Agee) stated Mr. Chairman can I point out the address is incorrect.

Chairman Raines ask did I read it incorrect.

Same member of the audience stated no it stated incorrect. It is not Richburg, that is Edgemoor. The address of what you're doing is incorrect.

Chairman Raines stated I'm bad about reading things wrong too. Can we make that correction on the fly. Is he correct, it is Edgemoor.

Planning Director Mike Levister said yes.

Chairman Raines stated okay, so I'll correct myself it is 4109 Edgeland Road, Edgemoor, South Carolina and as I read the same tax map number. So, there's a lot of technical type information here. The check sheet, the plat as it's been developed my understanding meets all the administrative requirements and the ordinance requirements for a Planned Development in Chester County. Anyone has anything they would like to say or comments. I don't know how to plan a development, so I'm going to say it's got all the check boxes checked, I move that we approve the final plat approval for the Walkers Mill Subdivision.

Commissioner Grant stated it will still have to go before County Council, right.

Chairman Raines stated this is it. This is one of our duties.

Planning Director Mike Levister stated so y'all rezoned, y'all rezoned a parcel to plan development. Planning Commission have made recommendation and County Council and County Council's gave it the grace to rezone it to plan development. Y'all approved the Preliminary plat, the sketch plat now, before you can go to from Preliminary plat to final plat, they had the draw up a bond for the infrastructure which was approved from the county council that they meet all the requirements through, from the county attorney and administrator and County Council.

Commissioner Hough stated are we okay with that clarification.

Planning Director Mike Levister said he can just state that.

Chairman Raines stated should be reflected in the minutes.

Planning Director Mike Levister stated correct, it will be restated in the minutes.

Chairman Raines motioned to approve, second by Commissioner Grant. Vote 6-0 to approve.

d. CTA23-02 RS-1 – Chester County Zoning Ordinance – Text Amendments
Single Family Residential District Uses Chapter 4 § 4-109 RS-1 Special Exception
Recommendation to Remove Text: RS-1 SPECIAL EXCEPTION Item #2

2. Clustered single-family development, provided the Board of Zoning Appeals determines: a. detached single-family units on minimum of 2 acre development parcel; b. Minimum individual lot size of 14,520 square feet; c. lot requirements per house may be waived; d. zero interior lot line setback may be allowed; e. Subdivision Regulations are met; f. adequate provisions for access and traffic safety providing for safe and efficient access into, within, and out of the development for the vehicles, pedestrians and emergency vehicles; g. public water and sewer are available for the property; h. the use is compatible with the district.	N/A	Private households	2 for each dwelling unit
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Chairman Raines stated what's the reason for this Mike. We just sort of cleaning up a lot of redundancy in our ordinance. This next thing is sort of a catch all.

Planning Director Mike Levister stated that was a recommendation to the County Administrator Brian Hester from John Agee and Erin Mosley to make a text amendment to that section. So, it was presented to y'all, for y'all's recommendation.

Commissioner Walley stated Mr. Agee would you like to step up and explain to us why you came up with this thought.

John Agee stated he was County Councilman from District One. This recommendation came from Michael Kozlarek, the county attorney that does a lot of zoning items. What happened, Y'all approved housing development next to Dr. Yousefian. The County Council voted it down. The Zoning Board of Appeals overrode the County Council. There's a doctrine called a non, now I can't remember now but in other words County Council appointed the Zoning Board of Appeals and you can't delegate it. So non delegated authority to the Zoning Board. Our own Zoning Board overrode the County Council. And that was not permissible. But going back to what you were talking about, my brother-in-law was the

chairman of the Zoning Board when all this was created. And that was put in at that particular point and time. So, what Michael Kozlarek recommended to Mr. Hester was to take this particular part out and add a new part in there. Where what y'all say to the County Council and what the County Council says stays. For the sake of argument, don't do it either the Zoning Board of Appeals accept this minor recommendation. Zoning Board of Appeals will still function, still do all the things they need to do. And that's what this is all about.

Commissioner Walley stated Mike do other counties follow this.

Planning Director Mike Levister stated basically what we're removing is given the Zoning Board of Appeals the authority to approve a cluster development. So that's the difference between y'all voted. The county council voted on a plan development. The plan development and cluster development if you look at the definitions are two different types of construction. So, the zoning when it was put in place in RS-1 which is the only district that allows a cluster development can be approved by the Zoning Board of Appeals as long as it meets the requirements. So now we got a recommendation to remove that to where the Zoning Board of Appeals won't have to have authority to approve a cluster development. So, all developments will come through to the Planning Commission to County Council.

Commissioner Hough stated so County Council can still approve it, they just don't the overriding power, correct.

Chairman Raines stated the ZBA doesn't.

Councilman Agee stated the only was the County Council could override the Zoning Board of Appeals is to sue them. And those are the people we appointed.

Chairman Raines stated that's under the current set up and this will rectify that.

Planning Director Mike Levister you just removing the authority for the Zoning Board of Appeals to be able to approve a cluster development from now on. When you remove this section from the RS-1 special exception. The only way you can do it.

Commissioner Hough stated that the cluster development doesn't sound good anyway.

Planning Director Mike Levister stated the thing is, every planned development or every subdivision would have to come in front of the Planning Commission and make their recommendation to County Council and the County Council gives three chances, three readings. So, it just removes that section.

Councilman Agee stated one other thing it does to do is put the authority to y'all to recommend to us. That's what important is for y'all to recommend to County Council.

Commissioner Grant motioned to approve, second by Commissioner Hough. Vote 6-0 to approve.

e. **CCTA23-03 PD – Chester County Zoning Ordinance – Text Amendments**
Planned Development District Regulations Chapter 4 § 4-130

Recommendation to add New Text: PD Planned Development District Regulations

Maximum number of units	The number of units shall not exceed the guaranteed allotment for service of water and wastewater. Should the water and wastewater guarantee expire before the development construction begins, the zoning shall revert to the previous zoning.
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Planning Director Mike Levister stated basically what we are doing is adding another requirement in this section for Plan Development. Basically, to make it short is if Mr. Raines wanted to come to the county and propose the subdivision for 1000 homes, but only has to water and sewer availability for 400. He can't propose 1000 Subdivision because he only has capacity. And also, when you get that water and sewer availability letter it has an expiration date on it. Well, if you don't have construction started before the expiration date, then the property is going to revert back to the current zoning. Prime example is Winchester. Winchester was proposed for 1150 and got rezone but only has capacity for like 400 homes. So they can only develop 400 homes at a time.

Chairman Raines stated sorry about that misinterpretation. Okay, it goes along with those that attended the planning workshop the other day. Very much a question in the County are we out running our infrastructure. This helps manage this a lot better from a standpoint of efficiently using what we have. Somebody can't come in and take up a bunch of paastan set on it so to speak. Gives us better planning tool going forward.

Commissioner Grant motioned to approve, second by Commissioner Walley. Vote 6-0 to approve.

6. Comments/Discussion

Chairman Raines asked if staff had anything. We got an email the other day about a webinar. Not, if I'm correct in saying this, it's not the continuing education for the year for the state. But if you want to participate you are welcome to. Broaden your horizons and your knowledge of what we do.

Commissioner Walley stated the email says it would count as continuing education if you wanted it to.

Chairman Raines stated it did.

Commissioner Hough stated it sure did.

Planning Director Mike Levister stated I will have to look and see and verify that.

Chairman Raines stated I guess has everyone done your continuing education for this year. That will be coming up sometime in November. So, keep that in mind if you did not do it in the spring. You will have to do before the end of the year to be a voting member.

Commissioner Hough stated us new guys have to do it twice, right Mike.

Planning Director Mike Levister stated that's correct.

Staff member Jaime Chappell stated you already did. We had one in February and then the three new appointees had a separate class where you got your six hours for the year.

Commissioner Grant asked does it say it counts.

Chairman Raines stated it does say it satisfies the three hours of continuing education. Just send us another email. Okay. Further discussion, does anybody on the commission have anything they feel they need to bring up?

Commissioner Grant asked if there was a meeting next month, right.

Planning Director Mike Levister stated, correct.

7. Adjourn Commissioner Grant motioned to adjourn, seconded by Chairman Raines. Vote 6-0 to adjourn. Time 7:42 PM.

Notice of Meeting: Public Notices providing time, date, and place for this meeting were posted in the Chester County Government Complex, Chester County Court House, and published in the **September 27, 2023**, The News and Reporter. All properties were also posted.